

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

ELANDER WOODALL, Individually and
on Behalf of All Others Similarly Situated

Plaintiff,

v.

EVERGREEN PACKAGING, LLC AND
PACTIV EVERGREEN, INC.,

Defendants.

No. 1:23-CV-459

Honorable Harry D. Leinenweber

**DECLARATION OF JOHN A. YBARRA IN SUPPORT OF DEFENDANTS’
SUPPLEMENTAL BRIEF IN SUPPORT OF THEIR MOTION TO DISMISS**

In support of Defendant’s Motion for Leave to File a Supplemental Brief in Support of their Motion to Dismiss, I, John A. Ybarra, on oath state as follows:

1. I am an adult over the age of 18 and a resident of the state of Illinois. The information set forth herein is true and correct of my own personal knowledge (unless otherwise stated) and if asked to testify thereto, I would do so competently.

2. I am a member in good standing of the State Bar of Illinois and am a Shareholder at the law firm of Littler Mendelson, P.C., counsel for Defendants Evergreen Packaging, LLC and Pactiv Evergreen, Inc. (“Defendants”) in the above-captioned action. I am also counsel of record for Defendant Evergreen Packaging, LLC in the parallel litigation currently pending in the United States District Court for the Eastern District of Arkansas entitled *Taiwan Wallace, et al. v. Evergreen Packaging, LLC*, Case No. 4:22-cv-337-KGB (E.D. Ark. April 3, 2023).

3. On April 3, 2023, the Presiding Judge in the *Wallace* Litigation ordered Defendant Evergreen Packaging, LLC, through its counsel, to produce a putative collective member list to Plaintiffs’ counsel, The Sanford Law Firm, that encompassed all Hourly-Paid Production Workers

employed in Arkansas by Defendants at any time since April 12, 2019. Case No. 4:22-cv-337-KGB, Dkt. 63, *as amended* Dkt. 67 (E.D. Ark. April 3, 2023). The Court in the *Wallace* Litigation ordered Defendant, through its counsel, to produce that putative collective member list to Plaintiffs' Counsel by May 5, 2023.

4. On May 5, 2023, Defendant produced the putative *Wallace* collective member list to Plaintiffs' counsel to the Sanford Law Firm. That list included the the eight (8) plaintiffs who have now opted into the instant *Woodall* action. Specifically, Verdie Ali, Janice Carter, Regina Barber, Paul Tuck, Robin J. Tuck, Fester Moore, Christopher Henry, and Opal Anderson are all identical names to those that appear on the *Wallace* putative collective member list.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 20, 2023

/s/ John A. Ybarra
Matthew J. Ruza